

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention MODEM FAILOVER WITHOUT CALL LOSS, the specification of which:

- ☒ [X] is attached hereto.
☐ [] was filed on _____ as Application Serial No. _____
☐ [] and was amended on _____ (if applicable)
☐ [] with amendments through _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

| (Number) | (Country) | (Day/Month/Year Filed) | Priority Claimed | |
|----------|-----------|------------------------|----------------------------------|--|
| | | | <input type="checkbox"/> [] Yes | <input checked="" type="checkbox"/> [M] No |
| | | | | |

I hereby claim the benefit under Title 35, United States Code, Sec. 119(e) of

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any United States provisional application listed below:

Provisional Application No.

Filing Date

I hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Applic. Serial No.)

(Filing Date)

(Status) (patented,
pending, abandoned)

I hereby appoint the following attorneys to prosecute this application, to file a corresponding international application, to prosecute and transact all business in the Patent and Trademark Office connected therewith:

Customer No. 20575

Attorney Name

Registration No.

| | |
|---------------------------|--------|
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first co-inventor: R. Ashby Armistead

Inventor's signature R. Ashby Armistead 10-28-98
(Date)

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